

REMARKS

New claims 56-59 have been added. As a result, following entry of this amendment, claims 1,2, 22 and 34-59 are pending for examination.

Support for the new claims is found in the specification at page 24, lines 17-22.

Potentially Interfering Published Application

Applicant informs the Examiner that this Preliminary Amendment presents one or more claims that may correspond to one or more claims published on December 21, 2006 in U.S. Patent Application Publication US 2006/0286066 A1 (Basran). See 37 C.F.R. § 10.23(c)(7). Accordingly, Applicant brings this published patent application to the Examiner's attention for consideration under 35 U.S.C. § 102(e), 102(g) and 135(a).

Applicant is submitting this Preliminary Amendment out of an abundance of caution to preserve the right to pursue any claim that may be considered as corresponding to a claim in U.S. Patent Application Publication US 2006/0286066 A1. See 35 U.S.C. § 135(b)(2). Applicant is also preserving the right to suggest an interference with U.S. Patent Application Publication US 2006/0286066 A1.

Applicant brings to the Examiner's attention that the disclosure on which the attached claims are based was filed at least as early as January 10, 2003 in European application EP 03447005.4 to which the instant application claims priority.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: December 21, 2007

Respectfully submitted,

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